

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

MICHAEL ANTHONY SWAFFORD,

Case No. 06-15093

Plaintiff,

DISTRICT JUDGE  
ARTHUR J. TARNOW

v.

MAGISTRATE JUDGE  
R. DONALD A. SCHEER

CITY OF WARREN, et al.,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION [49]**

Before the Court is the Magistrate Judge's Report and Recommendation [49], filed February 8, 2010, on Officer Nichols' Supplemental Brief [44] regarding costs and attorneys' fees. The Report and Recommendation followed an evidentiary hearing held on December 11, 2009. The Magistrate Judge recommends that the relief requested in the Supplemental Brief [44] be denied.

By the briefing deadline, no party had filed an objection to the Report and Recommendation. There having been no objection, and the Court having reviewed the record and being fully advised in the premises,

**IT IS HEREBY ORDERED** that the Report and Recommendation [49] is **ADOPTED**, and is hereby entered as the findings of the Court.

**IT IS FURTHER ORDERED** that the relief requested in Officer Nichols' Supplemental Brief [44] is **DENIED**.

**SO ORDERED.**

S/ARTHUR J. TARNOW

Arthur J. Tarnow  
United States District Judge

Dated: March 11, 2010

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 11, 2010, by electronic and/or ordinary mail.

S/LISA M. WARE

Case Manager